JUN 1 3 1986

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99TH CONGRESS
2d Session

HOUSE OF REPRESENTATIVES

REPORT
99-623

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FEDERAL FIRE PREVENTION AND CONTROL ACT AUTHORIZATION, FISCAL YEAR 1987

JUNE 5, 1986.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. FUQUA, from the Committee on Science and Technology, submitted the following

REPORT

[To accompany H.R. 4252]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science and Technology, to whom was referred the bill (H.R. 4252) to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

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The amendment is as follows:

Strike all after the enacting clause and insert the following:

That section 17(f) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2216(f)) is amended—

(1) by striking "is" and inserting in lieu thereof "are"; and

(2) by inserting immediately before the period the following: "and $18,300,000 for the fiscal year ending September 30, 1987".

I. Background and Need

FEDERAL FIRE PREVENTION AND CONTROL ACT OF 1974

In 1973 the National Commission on Fire Prevention and Control released a comprehensive report on this Nation's fire problem, "America Burning". This historic report found that although fire prevention and control are primarily local responsibilities, the Federal Government has a significant role to play in meeting this national problem.

The Commission found that to the extent the Government was playing a role at all, it was fragmented among several Federal agencies. Consequently, the Commission recommended the establishment of the National Fire Prevention and Control Administration, a Federal agency where the Nation's fire problem would be viewed in its entirety.

Following this report, Congress passed the Federal Fire Prevention and Control Act of 1974, which established the U.S. Fire Administration [USFA]. Specifically set out as a part of the USFA was the National Fire Data Center and the National Fire Academy [NFA]. The legislation also provided for a fire research center at the National Bureau of Standards [NBS], for which funds are authorized under a separate NBS authorization bill.

In 1978 Congress expanded the USFA's responsibilities to include coordinating Federal programs to combat arson. In 1979, the USFA was made part of the newly created Federal Emergency Management Agency [FEMA] under the President's Reorganization Plan No. 3. As part of FEMA, the USFA was given the responsibility to advise the FEMA Director on fire prevention, suppression, and hazard mitigation, and to serve as the lead Federal agency responsible for combating the fire problem. In 1981, the budget for the USFA and the NFA were separated. Currently, the USFA consists of four offices: Fire Policy and Coordination, Firefighter Health and Safety, Fire Prevention and Arson Control, and Fire Data and Analysis. The NFA provides training and outreach courses to firefighters and other members of the fire service community.

Each year, over 2.3 million destructive fires are attended to by fire departments. Annually, more than 6,000 people, including over 100 fire fighters die as a result of fire, and over 100,000 people are injured each year. Roughly three-fourths of all fire deaths occur in residences. Six billion dollars worth of property go up in smoke each year. Consequently, as concluded in the report, "America Burning", in 1973, the fire problem in this country is too large to be ignored and left to local fire fighters to battle alone. The USFA and NFA are working to help local firefighters reduce the substantial fire problem in this Nation.

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II. Summary of Committee Actions

BUDGET TOTAL

The President's budget for fiscal year 1987 included a request for $9,041,000 in new obligational authority for the Federal Fire Prevention and Control Act. This represents a reduction of $13,912,000 from funds available in FY 1986 for these programs which total $22,953,000.

H.R. 4252, as amended by the Committee, authorizes a total of $18,300,000.

PURPOSE OF THE BILL

The purpose of the bill is to authorize appropriations for the Federal Fire Prevention and Control Act for fiscal year 1987 in the amount of $18,300,000 as follows:

Federal Fire Prevention and Control Act

Agency	*Authorization fiscal year 1987*
U.S. Fire Administration	$7,584,000
National Fire Academy	10,716,000
Total	18,300,000

COMPARISON WITH BUDGET REQUEST AND SENATE ACTION

Committee actions on funding for Federal Fire Prevention and Control programs compared to the President's budget request and Senate Action are reflected in the table below:

Federal Fire Prevention and Control Act (H.R. 4252) Budget Comparisons

[By fiscal years]	*Millions of dollars*
1986 Authorization	$22.953
1986 Appropriation	17.763
1987 Administration request[1]	9.041
Action by Senate	18.300
Committee recommendation	18.300

[1] For fiscal year 1988, the administration request is "such sums as necessary."

III. Committee Views (H.R. 4252)

The U.S. Fire Administration (USFA) and National Fire Academy (NFA), located within the Federal Emergency Management Agency (FEMA), along with the Center for Fire Research (CFR) of the National Bureau of Standards, provide the major Federal effort in support of fire prevention and control efforts in the United States. In particular, these programs are aimed at reducing residential fires since the United States has among the world's highest rates both of dealths and of property losses due to fires.

H.R. 4252 contains the fiscal year 1987 authorization for the fire programs in FEMA: the USFA and the NFA. The Committee notes that, in general, FEMA management does not appear to have provided a supportive environment for the USFA and NFA. For example, the Director of FEMA has testified that he . . ."placed all of the other things we were required to do in a priority", with the result that USFA has been proposed to be cut out of the budget,

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unless additional funds are authorized. The Committee also understands that the Fire Academy is understaffed due to a FEMA decision to use fire funds for purposes other than the instruction programs for which they were appropriated by the Congress. This was in spite of the fact that half of the staff authorized for the Academy are committed to site administration at FEMA's Emmittsburg, Maryland facility (supporting multiple FEMA missions), while they are supported by funds authorized and appropriated for the fire programs. As a final example, FEMA Headquarters is reported to provide such weak administrative support that the USFA was only to award about half of the contracts for which funds were appropriated in fiscal year 1985.

UNITED STATES FIRE ADMINISTRATION

Committee view

The Administration has again proposed zero funding for the USFA, which the Committee interprets to imply that the Fire Administration's role, assigned by the Federal Fire Prevention and Control Act of 1974, is not worthwhile or cost effective. The Committee strongly disagrees with this proposal, recognizing the value of the USFA as the Federal focal point for fire issues and for the advances in fire prevention and control which are attributable to it. While this nation continues to have among the world's rates of both fire death and property loss per capita, there are clearly declining trends in both statistics. Testimony received from a number of sources indicates that the USFA has made a major contribution in the area, to the end that about 2000 fewer people die in fires each year and about $1.2 billion less property loss is incurred, compared with 1975 when the Federal Fire programs were established.

OVERSIGHT ISSUES

Committee view

The Committee is concerned that the volunteer firefighting community may have insufficient access to both the USFA and the NFA. Although three-fourths of the people of this country live in areas served by volunteer firefighters, only three percent of the resident attendees at the NFA are volunteers. The Chairman of the National Volunteer Fire Council testified on March 11, 1986 that, while that organization supported a continued need for the USFA, they ". . . repeatedly run into . . . 'bureaucratic roadblocks' " in working with the Fire Administration. While the Committee recognizes that the part-time, decentralized nature of volunteer fire organizations makes them inherently more difficult to support than the full-time fire service, the Committee feels that the USFA and NFA must make a particular effort to communicate with the volunteer firefighting community. In particular, the Committee directs that the NFA should give first priority to volunteer firefighters in making course allocations and allotting travel stipends. The NFA should also continue to strengthen its field training program, which is more accessible to volunteer firefighters. The Committee requests FEMA to provide statistics indicating the portions of the

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students at the Fire Academy who are state employees, local employees, federal employees and volunteers.

The Committee finds that, in general, FEMA support for the fire programs must increase. In particular, the FEMA is directed to increase the responsiveness of its procurement activity to the contracting needs of the USFA. FEMA is further directed to coordinate its overall progam in order to reflect that its missions assigned pursuant to the Federal Fire Prevention and Control Act of 1974 are fundamental to its operations, and rank in priority with other emergency programs. Because of the many problems noted in this area, the Committee has limited its authorization to one fiscal year, to ensure Congressional oversight of FEMA and its management of the fire programs. Noting that the FEMA has a new Director with a reputation for solving tough problems, the Committee expects to see significant improvements in management of the fire programs.

NATIONAL FIRE ACADEMY

Committee view

The Administration also proposes that travel stipends for firefighters should be eliminated, and that the firefighters should be charged for lodging while at the Academy. The Committee does not agree with this proposal, because all indications are that these cuts will drastically reduce the number of attendees at the Academy, resulting in a direct reduction of its effectiveness.

The Committee does agree with the Administration's proposal that plans and funding for the National Emergency Training Center West should be discontinued. Establishing such a Center would require a major increase in funding, both for the initial capital outlay and for an expanded staff, as it would not be practical to split the existing fire training staff at the National Emergency Training center (NETC) in Emmittsburg, Maryland. In fact, the Committee is concerned that FEMA management has held the number of Fire Academy staff in Emmittsburg well below the level authorized and appropriated, with the result that many courses are taught entirely by adjunct faculty. The Committee directs FEMA to ensure that the NFA is fully staffed, and that at least 75% of its personnel are engaged in instruction and curriculum development, and are not used for administrative duties.

CENTER FOR FIRE RESEARCH

Committee view

The Center for Fire Research (CFR) in the National Bureau of Standards (NBS), like the U.S. Fire Administration and National Fire Academy, was created by the Federal Fire Prevention and Control Act. Since fiscal year 1983, The entrie CFR program has been authorized separately from the other fire programs, in the National Bureau of Standards Authorization Act. However, Committee views on the CFR are included in this report because the CFR provides vital scientific and technical data that are an integral part of the Federal fire prevention and control effort.

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The Committee disagrees with the Administration's proposal to eliminate the CFR. For the fourth consecutive year, the Committee has received convin.. ng testimony that research currently performed by the CFR could not be conducted by the private sector and/or state and local governments. The CFR conducts the only comprehensive fire research program in the United States. Its program is designed to provide the scientific basis for the prevention and control of all types of fires and for reducing the nation's fire losses and the cost of fire protection. It is directed especially toward reducing the problem of residential fires, which account for the majority of fire-related deaths and injuries in the country.

In addition to the work carried out on site, the CFR through its grants program is the principal source of support for fundamental fire-related research in the United States. Each grant is awarded to further some specific aspect of the work of the CFR, particularly in areas for which there is no in-house capability. The grants program brings the talents of world-class researchers in many fields to focus on fire research. Since most of the grants are to universities, the program also supports much of the advanced training that produces new generations of fire researchers.

The Committee strongly recommends continuation of the CFR at the Bureau of Stnadards.

IV. Section-by-Section Analysis

Federal Fire Prevention and Control Act

A bill to authorize appropriations to carry out the Federal Fire Prevention and Control Act of 1974 for fiscal Year 1987.

Section 1

Authorizes $18,300,000 for the fiscal year ending September 30, 1987 to the U.S. Fire Administration and National Fire Academy for fire prevention and control programs.

V. Changes in Existing Law Made by the Bill, as Reported

In compliance with clause 3 of Rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

Federal Fire Prevention and Control Act of 1974

* * * * * * *

Sec. 17. (a) * * *

* * * * * * *

(f) Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, to carry out the purposes of this Act, there [is] *are* authorized to be appropriated $22,953,000 for the fiscal year ending September 30, 1986 *and $18,300,000 for the fiscal year ending September 30, 1987.*

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VI. Oversight Activities

Pursuant to Rule XI, Clause 2(1)(3)(A), and under the authority of Rule X, Clause 2(b)(1) and Clause 3(f), of the Rules of the House of Representatives, the following statement on oversight activities is made:

Committee oversight of the Federal Fire Prevention and Control Act has consisted primarily of hearings; inspections of the U.S. Fire Administration and National Fire Academy; staff attendance at USFA and NFA briefings and informal discussions between Committee Members, staff and representatives of the USFA and NFA; attendance at USFA and NFA sponsored activities and conferences.

HEAKINGS

Testimony was given by federal representatives, top fire service leaders, state fire service and insurance industry personnel, community-based organizations and members of the National Commission on Fire Prevention and Control at authorization hearings on March 11, 1986.

OTHER RELATED HEARINGS

Prevention of Residential Fire Fatalities—October 1, 1985. The Mexico Earthquake: Scientific and Engineering Implications—November 5, 1985.

ATTENDANCE OF USFA AND NFA MEETINGS

Members and staff of the Committee have met with USAF and NFA staff to receive various briefings on budget and program matters.

During the coming year the Committee plans for oversight include extensive review of FEMA's response to the Management Study Report on the Training and Fire Programs Directorate and National Emergency Training Center by Irving Burton Associates, completed in December 1985.

VII. Oversight Findings and Recommendations by the Committee on Government Operations

No statement of findings and recommendations on oversight activity pursuant to Rule X, clause 2(b)(2), and Rule XI, clause 2(1)(3)(D), of the Rules of the House of Representatives, have been submitted by the Committee on Government Operations for inclusion in this report.

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VIII. Cost Estimate—Congressional Budget Office

U.S. Congress,
Congressional Budget Office,
Washington, DC, June 5, 1985.

Hon Don Fuqua,
Chairman, Committee on Science and Technology, U.S. House of Representatives, 2321 Rayburn House Office Building, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the attached cost estimate for H.R. 4252, a bill to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974.

If you wish further details on this estimate, we will be pleased to provide them.

With best wishes,
Sincerely,

Rudolph G. Penner, *Director.*

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

June 5, 1986.

1. Bill number: H.R. 4252.

2. Bill title: A bill to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1984.

3. Bill status: As ordered reported by the House Committee on Science and Technology, June 4, 1986.

4. Bill purpose: This bill would authorize appropriations of $18.3 million for the U.S. Fire Administration and the National Fire Academy for fiscal year 1987.

5. Estimated cost to the Federal Government:

[In millions of dollars]

	Fiscal years				
	1987	1988	1989	1990	1991
Authorization level	18.3				
Estimated outlays	8.0	5.9	3.1	1.3	

The costs of this bill fall within budget function 450.

Basis of estimate: This estimate assumes that all funds authorized will be appropriated and that outlays will follow historical patterns.

6. Estimated cost to State and local governments: None.

7. Estimate comparison: None.

8. Previous CBO estimate: On March 21, 1986, CBO prepared a cost estimate for S. 2180, an identical bill reported by the Senate Committee on Commerce, Science, and Transportation. The estimated costs of that bill are identical to those of H.R. 4252.

9. Estimate prepared by: Paul M. DiNardo.

10. Estimate approved by: James L. Blum, Assistant Director for Budget Analysis.

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IX. Budget Analysis and Projection

H.R. 4252 provides no new budget authority or tax expenditures. Consequently, the provisions of section 308(a) of the Congressional Budget Act are not applicable.

X. Effect of Legislation on Inflation

In accordance with rule XI, clause 2(l)(4) of the Rules of the House of Representatives, the following statement is made concerning the inflationary impact of H.R. 4252.

H.R. 4252 is assessed to have no inflationary effect on prices and costs in the operation of the national economy.

XI. Committee Recommendation

The bill was ordered reported on June 4, 1986 by unanimous vote.

XII. Administration Views

Federal Emergency Management Agency,
Washington, DC, February 5, 1986.

Hon. Thomas P. O'Neill, Jr.,
Speaker of the House of Representatives,
Washington, DC.

Dear Mr. Speaker: Enclosed is proposed legislation "To authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974.

The proposed legislation authorizes appropriations for Fiscal Year 1987 for the training activities authorized under the Federal Fire Prevention and Control Act which are carried out by the Federal Emergency Management Agency's National Fire Academy. The amount requested is $9,041,000 which is the amount contained in the President's Budget. Not included in this request is an appropriation authorization for United States Fire Administration programs which the Administration has proposed to terminate. The legislation also authorizes the appropriations for such sums as may be necessary for Fiscal Year 1988.

The Federal Fire Prevention and Control Act of 1974, as amended, has as its objectives the reduction of the nation's losses caused by fire through better fire prevention and control; and the supplementing of existing programs of training and education. The new appropriations authorized hereunder will provide for the continuation of training programs now being carried out.

The Office of Management and Budget has advised that there is no objection from the standpoint of the Administration's program to the submission of this legislation to the Congress and that its enactment would be in accord with the program of the President.

Sincerely,

Spence W. Perry,
Acting General Counsel.

Enclosure.

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A BILL To authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 17 of the Federal Fire Prevention and Control Act of 1974 as amended, (15 U.S.C. 2216) is further amended by adding at the end thereof the following:

"(g) Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, to carry out the purposes of this Act, there is authorized to be appropriated $9,041,000 for the fiscal year ending September 30, 1987. There are further authorized to be appropriated such sums as may be necessary for the fiscal year ending September 30, 1988."

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